United Nations A/65/451

General Assembly

Distr.: General
1 December 2010

Original: English

Sixty-fifth session
Agenda item 63

Report of the Human Rights Council

Report of the Third Committee

Rapporteur: Mr. Asif **Garayev** (Azerbaijan)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled "Report of the Human Rights Council" and to allocate it to both the plenary and the Third Committee, on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council to the Assembly, including those that deal with the development of international law in the field of human rights.

2. The Third Committee considered the item at its 39th, 43rd, 44th and 48th meetings, on 2, 9, 11 and 18 November 2010. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/65/SR.39, 43, 44 and 48).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Human Rights Council on its twelfth, thirteenth and fourteenth sessions, its thirteenth special session and its fifteenth session;[1]

(b) Report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth and fourteenth sessions and its fifteenth session (A/65/333 and Corr.1 and Add.1).

4. At the 39th meeting, on 2 November, the President of the Human Rights Council made a statement (see A/C.3/65/SR.39).

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1); and ibid., *Supplement No. 53 A* (A/65/53/Add.1).

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II. Consideration of proposals

A. Draft resolution A/C.3/65/L.57

5. At the 43rd meeting, on 9 November, the representative of Mali, on behalf of the States Members of the United Nations that are members of the Group of African States, the Russian Federation and Turkey, introduced a draft resolution entitled "Report of the Human Rights Council" (A/C.3/65/L.57). Subsequently, India joined in sponsoring the draft resolution.

6. At the 48th meeting, on 18 November, the representative of Mali made a statement (see A/C.3/65/SR.48).

7. At the same meeting, the Secretary read out a statement of the programme budget implications of the draft resolution.

8. Also at the same meeting, statements were made by the representatives of Morocco (on behalf of the Organization of the Islamic Conference) and Turkey (see A/C.3/65/SR.48).

9. Also at its 43rd meeting, the Committee adopted draft resolution A/C.3/65/L.57 by a recorded vote of 119 to 2, with 55 abstentions (see para. 14, draft resolution I). The voting was as follows:[2]

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands.

Abstaining:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia,

[2] The delegation of Belize subsequently indicated that it had intended to vote in favour.

Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania , Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

10. Before the vote, statements were made by the representatives of Israel, Belgium (on behalf of the European Union), the Syrian Arab Republic and Chile; after the vote, statements were made by the representatives of Norway (also on behalf of Iceland, Liechtenstein, New Zealand and Switzerland), the Democratic People's Republic of Korea, the United States of America, Costa Rica, Canada and Mexico (A/C.3/65/SR.43).

B. Draft resolution A/C.3/65/L.59

11. At the 43rd meeting, on 9 November, the representative of El Salvador, on behalf of Albania, Argentina, Armenia, Austria, Azerbaijan, Belgium, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, El Salvador, Finland, France, Gabon, Germany, Greece, Guatemala, Honduras, Hungary, Italy, Jamaica, Luxembourg, Mexico, Montenegro, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Seychelles, Slovenia, Spain, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims" (A/C.3/65/L.59).[3]

12. At the same meeting, the Committee adopted draft resolution A/C.3/65/L.59 (see para. 14, draft resolution II).

13. After the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.3/65/SR.43).

[3] Subsequently, India indicated that it had intended to sponsor the draft resolution.

III. Recommendations of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council and the addendum thereto,[1]

Takes note of the report of the Human Rights Council and the addendum thereto[1] and acknowledges the recommendations contained therein.

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1); and ibid., *Supplement No. 53 A* (A/65/53/Add.1).

Draft resolution II
Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights[2] and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action,[3]

Recognizing the universality, indivisibility, interdependence and interrelatedness of civil, political, economic, social and cultural rights,

Recalling articles 32 and 33 of Additional Protocol I to the Geneva Conventions of 12 August 1949[4] and article 24, paragraph 2, of the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006, according to which each victim has the right to know the truth regarding the circumstances of enforced disappearances, the progress and results of the investigation and the fate of the disappeared person,

Taking into account the right to the truth as defined in Commission on Human Rights resolution 2005/66 of 20 April 2005[5] and Human Rights Council decision 2/105 of 27 November 2006[6] and resolutions 9/11 of 24 September 2008[7] and 12/12 of 1 October 2009[8] on the right to the truth,

Welcoming Human Rights Council resolution 14/7 of 17 June 2010 entitled "Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims",[9]

Acknowledging the reports of the Office of the United Nations High Commissioner for Human Rights and the significant conclusions therein related to the right to the truth,[10]

Recognizing the importance of promoting the memory of victims of gross and systematic human rights violations and the importance of the right to truth and justice,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[6] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. B.

[7] Ibid., *Sixty-third Session, Supplement No. 53 A* (A/63/53/Add.1), chap. I.

[8] Ibid., *Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1), chap. I, sect. A.

[9] Ibid, chap. III, sect. A.

[10] E/CN.4/2006/91, A/HRC/5/7, A/HRC/12/19 and A/HRC/15/33.

Acknowledging, at the same time, the significance of paying tribute to those who have devoted their lives to, and lost their lives in, the struggle to promote and protect human rights for all,

Recognizing in particular the important and valuable work of Monsignor Oscar Arnulfo Romero, of El Salvador, who was actively engaged in the promotion and protection of human rights in his country, and whose work was acknowledged internationally through his messages, in which he denounced violations of the human rights of the most vulnerable populations,

Recognizing the values of Monsignor Romero and his dedication to the service of humanity, in the context of armed conflicts, as a humanist dedicated to defending human rights, protecting lives and promoting human dignity, his constant calls to dialogue and his opposition to all forms of violence to avoid armed confrontation, which consequently led to his death on 24 March 1980,

1. *Proclaims* 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims;

2. *Invites* all Member States, organizations of the United Nations system and other international organizations and civil society entities, including non-governmental organizations and individuals, to observe the International Day in an appropriate manner;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

United Nations A/65/451*

General Assembly

Distr.: General
1 December 2010

Original: English

Sixty-fifth session
Agenda item 63

Report of the Human Rights Council

Report of the Third Committee

Rapporteur: Mr. Asif **Garayev** (Azerbaijan)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled "Report of the Human Rights Council" and to allocate it to both the plenary and the Third Committee, on the understanding that the Third Committee would consider and act on all recommendations of the Human Rights Council to the Assembly, including those that deal with the development of international law in the field of human rights.

2. The Third Committee considered the item at its 39th, 43rd, 44th and 48th meetings, on 2, 9, 11 and 18 November 2010. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/65/SR.39, 43, 44 and 48).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Human Rights Council on its twelfth, thirteenth and fourteenth sessions, its thirteenth special session and its fifteenth session;[1]

(b) Report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its twelfth, thirteenth and fourteenth sessions and its fifteenth session (A/65/333 and Corr.1 and Add.1).

4. At the 39th meeting, on 2 November, the President of the Human Rights Council made a statement (see A/C.3/65/SR.39).

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* Revised for technical reasons on 13 December 2010.

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1); and ibid., *Supplement No. 53 A* (A/65/53/Add.1).

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II. Consideration of proposals

A. Draft resolution A/C.3/65/L.57

5. At the 43rd meeting, on 9 November, the representative of Mali, on behalf of the States Members of the United Nations that are members of the Group of African States, the Russian Federation and Turkey, introduced a draft resolution entitled "Report of the Human Rights Council" (A/C.3/65/L.57). Subsequently, India joined in sponsoring the draft resolution.

6. At the 48th meeting, on 18 November, the representative of Mali made a statement (see A/C.3/65/SR.48).

7. At the same meeting, the Secretary read out a statement of the programme budget implications of the draft resolution.

8. Also at the same meeting, statements were made by the representatives of Morocco (on behalf of the Organization of the Islamic Conference) and Turkey (see A/C.3/65/SR.48).

9. Also at its 48th meeting, the Committee adopted draft resolution A/C.3/65/L.57 by a recorded vote of 119 to 2, with 55 abstentions (see para. 14, draft resolution I). The voting was as follows:[2]

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Marshall Islands.

Abstaining:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia,

[2] The delegation of Belize subsequently indicated that it had intended to vote in favour.

Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania , Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu.

10. Before the vote, statements were made by the representatives of Israel, Belgium (on behalf of the European Union), the Syrian Arab Republic and Chile; after the vote, statements were made by the representatives of Norway (also on behalf of Iceland, Liechtenstein, New Zealand and Switzerland), the Democratic People's Republic of Korea, the United States of America, Costa Rica, Canada and Mexico (A/C.3/65/SR.48).

B. Draft resolution A/C.3/65/L.59

11. At the 43rd meeting, on 9 November, the representative of El Salvador, on behalf of Albania, Argentina, Armenia, Austria, Azerbaijan, Belgium, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, El Salvador, Finland, France, Gabon, Germany, Greece, Guatemala, Honduras, Hungary, Italy, Jamaica, Luxembourg, Mexico, Montenegro, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Serbia, Seychelles, Slovenia, Spain, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims" (A/C.3/65/L.59).[3]

12. At the 44th meeting, on 11 November, the Committee adopted draft resolution A/C.3/65/L.59 (see para. 14, draft resolution II).

13. After the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.3/65/SR.44).

[3] Subsequently, India indicated that it had intended to sponsor the draft resolution.

III. Recommendations of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council and the addendum thereto,[1]

Takes note of the report of the Human Rights Council and the addendum thereto[1] and acknowledges the recommendations contained therein.

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1); and ibid., *Supplement No. 53 A* (A/65/53/Add.1).

Draft resolution II
Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Civil and Political Rights[2] and other relevant instruments of international human rights law and international humanitarian law, as well as the Vienna Declaration and Programme of Action,[3]

Recognizing the universality, indivisibility, interdependence and interrelatedness of civil, political, economic, social and cultural rights,

Recalling articles 32 and 33 of Additional Protocol I to the Geneva Conventions of 12 August 1949[4] and article 24, paragraph 2, of the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in its resolution 61/177 of 20 December 2006, according to which each victim has the right to know the truth regarding the circumstances of enforced disappearances, the progress and results of the investigation and the fate of the disappeared person,

Taking into account the right to the truth as defined in Commission on Human Rights resolution 2005/66 of 20 April 2005[5] and Human Rights Council decision 2/105 of 27 November 2006[6] and resolutions 9/11 of 24 September 2008[7] and 12/12 of 1 October 2009[8] on the right to the truth,

Welcoming Human Rights Council resolution 14/7 of 17 June 2010 entitled "Proclamation of 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims",[9]

Acknowledging the reports of the Office of the United Nations High Commissioner for Human Rights and the significant conclusions therein related to the right to the truth,[10]

Recognizing the importance of promoting the memory of victims of gross and systematic human rights violations and the importance of the right to truth and justice,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] United Nations, *Treaty Series*, vol. 1125, No. 17512.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[6] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. I, sect. B.

[7] Ibid., *Sixty-third Session, Supplement No. 53 A* (A/63/53/Add.1), chap. I.

[8] Ibid., *Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1), chap. I, sect. A.

[9] Ibid, chap. III, sect. A.

[10] E/CN.4/2006/91, A/HRC/5/7, A/HRC/12/19 and A/HRC/15/33.

Acknowledging, at the same time, the significance of paying tribute to those who have devoted their lives to, and lost their lives in, the struggle to promote and protect human rights for all,

Recognizing in particular the important and valuable work of Monsignor Oscar Arnulfo Romero, of El Salvador, who was actively engaged in the promotion and protection of human rights in his country, and whose work was acknowledged internationally through his messages, in which he denounced violations of the human rights of the most vulnerable populations,

Recognizing the values of Monsignor Romero and his dedication to the service of humanity, in the context of armed conflicts, as a humanist dedicated to defending human rights, protecting lives and promoting human dignity, his constant calls to dialogue and his opposition to all forms of violence to avoid armed confrontation, which consequently led to his death on 24 March 1980,

1. *Proclaims* 24 March as the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims;

2. *Invites* all Member States, organizations of the United Nations system and other international organizations and civil society entities, including non-governmental organizations and individuals, to observe the International Day in an appropriate manner;

3. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

United Nations A/65/452

General Assembly

Distr.: General
2 December 2010

Original: English

Sixty-fifth session
Agenda item 64

Promotion and protection of the rights of children

Report of the Third Committee

Rapporteur: Mr. Asif **Garayev** (Azerbaijan)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled:

"Promotion and protection of the rights of children:

"(a) Promotion and protection of the rights of children;

"(b) Follow-up to the outcome of the special session on children"

and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item at its 13th to 18th meetings, from 13 to 15 and on 18 October 2010, and took up proposals relating to the item at its 25th and 51st meetings, on 21 October and 23 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/65/SR.13-18, 25 and 51).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Rights of the Child;[1]

(b) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/65/206);

(c) Report of the Secretary-General on the follow-up to the special session of the General Assembly on children (A/65/226);

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 41* (A/65/41).

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(d) Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/65/219);

(e) Annual Report of the Special Representative of the Secretary-General on violence against children (A/65/262);

(f) Note by the Secretary-General transmitting the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/65/221);

(g) Letter dated 24 August 2010 from the Representative of Brazil to the President of the General Assembly (A/65/336);

4. At its 13th meeting, on 13 October, the Committee heard introductory statements by the Special Representative of the Secretary-General for Children and Armed Conflict, the Executive Director of the United Nations Children's Fund (UNICEF), the Special Representative of the Secretary-General on violence against children, the Chair of the Committee on the Rights of the Child and the Special Rapporteur on the sale of children, child prostitution and child pornography (see A/C.3/65/SR.13).

5. At the same meeting, the presenters responded to questions raised and comments made by the representatives of Pakistan, Switzerland, Thailand, Norway, Egypt, Algeria, the United States of America, Malaysia, Brazil, Cuba, Chile, India, the Bolivarian Republic of Venezuela, Nigeria and Mexico, as well as by the Observer for Palestine and the Observer for the European Union (see A/C.3/65/SR.13).

II. Consideration of proposals

A. Draft resolution A/C.3/65/L.21 and Rev.1

6. At the 25th meeting, on 21 October, the representative of Uruguay, on behalf of Albania, Antigua and Barbuda, Argentina, Armenia, Austria, the Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Brazil, Bulgaria, Burkina Faso, Cameroon, Chile, Colombia, the Congo, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Rights of the child" (A/C.3/65/L.21), which read:

"*The General Assembly*,

"*Reaffirming* all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 64/146 of 18 December 2009,

"*Emphasizing* that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention, and calling for their universal ratification, as well as of other human rights instruments,

"*Recalling* specific provisions on the promotion and protection of the rights of the child in other human rights instruments, such as the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the protection of the Rights of All Migrant Workers and Members of Their Families,

"*Reaffirming* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

"*Reaffirming also* the Vienna Declaration and Programme of Action, the United Nations Millennium Declaration and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled 'A world fit for children', and recalling the Copenhagen Declaration on Social Development and the Programme of Action, the Dakar Framework for Action adopted at the World Education Forum, the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Right to Development, the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007, and the outcome of the High-level Plenary Meeting on the Millennium Development Goals, held in New York from 20 to 22 September 2010,

"*Taking note with appreciation* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 64/146, as well as the report of the Special Representative of the Secretary-General on violence against children and the priorities set out therein for the prevention and elimination of all forms of violence against children, and the report of the Special Representative of the Secretary-General for Children and Armed Conflict, whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note also of the report of the Secretary-General on children and armed conflict,

"*Acknowledging* the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

"*Taking note with appreciation* of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and

organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

"*Profoundly concerned* that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socio-economic context,

"*Profoundly concerned also* that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, lack of access to safe drinking water and to improved sanitation, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

"*Deeply concerned* that globally 8.1 million children under five years of age died from preventable causes in 2009; that in developing countries more than a third of the children under five suffer from stunting and a quarter suffer from underweight and severe malnutrition before they enter primary school with, in some cases, irreparable damages to their cognitive development and long-term impacts on their physical health and development,

"*Deeply concerned also* that in many countries early childhood care and education programmes are not widespread, limiting the outcomes of schooling and reducing prospects for realizing children's development to their fullest potential,

"*Gravely concerned about* the devastating impact of major natural disasters on children, their effects on the enjoyment of the rights of the child, and on their future development,

"*Reaffirming* its resolution 64/290 of 9 July 2010, entitled 'The right to education in emergency situations',

"I. Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

"1. *Commemorates* the tenth anniversary of the adoption of the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, and takes this opportunity to call for the effective implementation of the Convention and its Protocols by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

"2. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241, and urges States that have not yet done so to become parties to the Convention and the Optional Protocols thereto as a matter of priority and to implement them fully, and welcomes the efforts of the Secretary-General to promote the universal ratification of the Optional Protocols to the Convention on the Rights of the Child;

"3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;

"4. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take duly into account the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 7 (2005), entitled 'Implementing child rights in early childhood';

"5. *Welcomes* actions of the Committee to monitor and to follow up the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines in particular the regional workshops and the participation of the Committee in national-level initiatives;

"6. *Notes with interest* the process of elaboration of an optional protocol to the Convention on the Rights of the Child to provide a communication procedure complementary to the reporting procedure under the Convention on the Rights of the Child;

"II. Promotion and protection of the rights of the child and non-discrimination against children

"Non-discrimination

"7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

"Registration, family relations and adoption or other forms of alternative care

"8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

"9. *Welcomes* the Guidelines for the Alternative Care of Children, as a set of orientations to help inform policy and practice, and encourages States to take them into account and to bring them to the attention of the relevant

executive, legislative and judiciary bodies of government, human rights defenders and lawyers, the media and the public in general;

"Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food

"10. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children infected with and affected by HIV/AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education, including human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV/AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and the right to an adequate standard of living, including housing and clothing;

"11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the effects of the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to crisis, any impact on the full enjoyment of the rights of children;

"Elimination of violence against children

"12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

"13. *Encourages* all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on violence against children, and provide support, including financial support, to her for the effective and independent performance of her mandate, as set out in resolution 62/141;

"14. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on violence against children in coordination with Member States, national Governments, United Nations agencies, human rights bodies and mechanisms, representatives of civil society and children themselves, as well the organization of an expert consultation on safe and child-sensitive counselling, complaint and reporting mechanisms to which children can safely report incidences of violence;

"15. *Recalls* Human Rights Council resolution 13/20 of 26 March 2010, entitled 'Rights of the child: the fight against sexual violence against children';

"Promoting and protecting the rights of children, including children in particularly difficult situations

"16. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded a primary consideration;

"Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

"17. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

"Prevention and eradication of the sale of children, child prostitution and child pornography

"18. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of sale of children, including for the purposes of transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

"19. *Calls upon* all States to develop and implement programmes and policies to protect children from commercial sexual exploitation, child prostitution, child pornography and child sex tourism and from child abduction, and also calls upon States to implement strategies to locate all missing children and assist them;

"20. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate;

"21. *Reaffirms* the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and welcomes the adoption of the United Nations Global Plan of Action against Trafficking in Persons;

"Children affected by armed conflict

"22. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;

"23. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

"24. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005, the adoption of Council resolution 1882 (2009) on 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

"Children affected by natural disasters

"25. *Appeals* to all Member States and all relevant organs and bodies of the United Nations system, as well as the international financial institutions and development agencies, to provide speedy, sustainable and adequate support for the relief, early recovery, rehabilitation, reconstruction and

development efforts of all countries affected by major natural disasters, and further calls on all States thus affected and the United Nations system to make all efforts to ensure that human rights in general and child rights in particular are mainstreamed in these efforts;

"Child labour

"26. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development and to eliminate immediately the worst forms of child labour;

"27. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016;

"The right of the child to express his or her views freely in all matters affecting him or her

"28. *Reaffirms* paragraphs 24 to 33 of its resolution 64/146, on the right of the child to express his or her views freely in all matters affecting him or her, urges all States to implement the measures set out in paragraph 33 of its resolution 64/146, and recognizes that even the youngest children are entitled to express their views, that they are acutely sensitive to their surroundings and that they make choices and communicate their feelings, ideas and wishes in numerous ways;

"29. *Calls upon* all States to address all the root causes preventing children from exercising their right to be heard and to be consulted on matters affecting them; inform children, parents, guardians, other caregivers and the general public about the rights of the child; and raise awareness of the importance and benefits of the participation of children in society, including through partnerships with civil society, the private sector and the media, while being attentive to their influence on children;

"III. Implementing child rights in early childhood

"30. *Recognizes* that although definitions of early childhood vary in different countries and regions, according to local traditions and the organization of primary school systems, early childhood encompasses all stages of a young child's life until and during his or her transition to school;

"31. *Reaffirms* that the child is the holder of all rights enshrined in the Convention on the Rights of the Child and that early childhood is a critical period for the realization of these rights;

"32. *Recognizes* that the full realization of children's rights requires the adoption and the implementation of comprehensive policies and programmes for early childhood at the national level, and, in this regard, encourages States to increase and implement measures towards this goal, including, as appropriate, with the support of international cooperation;

"33. *Also recognizes* that the full enjoyment of the rights in early childhood requires adults to adopt a comprehensive and appropriate child-centred attitude based on a framework of laws, policies and community-based services;

"34. *Further recognizes* that during early childhood, children have particular physical and emotional requirements and are entitled to special protection measures and the opportunity to progressively exercise their rights in a manner consistent with their age, maturity and evolving capacities;

"35. *Recognizes* that during their early childhood, children are dependent on others to offer protection and to promote their best interests and that, in many cases, they are more vulnerable to disease, trauma and violence, including neglect, injury, maltreatment and abuse, including physical and mental violence, and other obstacles to their development, and are especially at risk of discrimination;

"36. *Reaffirms* that the eradication of poverty is essential to the achievement of all the Millennium Development Goals and the full realization of the rights of all young children, and expresses deep concern that malnutrition and preventable diseases continue to be major obstacles to realizing rights in early childhood, in particular the right to life, to development and to food, and recognizes the needs to reduce child mortality and ensure holistic child development;

"37. *Emphasizes* that full realization of the rights of all children, particularly the rights to survival and development and to reach their full potential, depends also on good maternal health, including physical and mental health, nutrition and education;

"38. *Recognizes* that any form of discrimination against young children reduces their survival prospects and quality of life and that their rights have to be ensured without discrimination of any kind;

"39. *Also recognizes* that the family has the primary responsibility for the upbringing and development of young children and that the State and the community as a whole should support parents, families, legal guardians and caregivers to care for early childhood;

"40. *Reiterates* that all States should continue to use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of their children;

"41. *Recognizes* that, in ensuring the exercise by young children of their rights, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community, as provided for by local custom, legal guardians or other persons legally responsible for the child to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

"42. *Reiterates* that all institutions of society should respect children's rights, including during their early childhood, and secure their well-being and that relevant institutions should render appropriate assistance to parents, families, legal guardians and other caregivers;

"43. *Recognizes* that a child who is temporarily or permanently deprived of his or her family environment, or in whose own best interest cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State, and reaffirms that States shall ensure adequate alternative care for such a child in accordance with their national laws, preferably in the form of family-type care;

"44. *Also recognizes* that the right to education is especially important during early childhood and it is closely linked to young children's right to maximum development, that the goal of education shall be to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence and that this must be achieved in ways that are developmentally appropriate, child-centred, child-friendly and reflect the rights and inherent dignity of the child;

"45. *Acknowledges* the need to enhance efforts aimed at expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children, taking into account the evidence that good quality early childhood care and education, both in families and in more structured programmes, have a positive impact on the survival, growth, development and learning potential of children;

"46. *Welcomes* the realization of the first World Conference on Early Childhood Care and Education, held in Moscow from 27 to 29 September 2010, convened by the United Nations Educational, Scientific and Cultural Organization, and encourages Member States to study its outcomes and recommendations;

"47. *Calls upon* all States to take effective measures to implement child rights in early childhood, in particular:

"(a) To ensure that the rights of young children are fully respected without discrimination on any grounds, by adopting and/or continuing to implement regulations and arrangements that ensure the full enjoyment of all their rights, such as the rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education, development, participation and play and the right to not be separated from their parents, and to provide special support and assistance to young children suffering from discrimination, in order to ensure their integration and the equal realization of their rights, and ensure that children are protected against all forms of discrimination;

"(b) To adopt, implement and strengthen policies aimed at ensuring universal access to quality and affordable services, especially health, nutrition, education, welfare, social protection, safe drinking water and sanitation and other services that are essential for the child's full enjoyment of life, and, in this regard, pay particular attention to the most vulnerable groups of young children and to those who are at risk of discrimination, including girls, children living in poverty, children with disabilities, children belonging to indigenous or minority groups, children from migrant families, children who are orphaned or lack parental care for other reasons, children living in institutions, children living with mothers in prison, refugee and asylum-

seeking children, children infected with or affected by HIV/AIDS, and children of alcohol- or drug-addicted parents;

"(c) To scale up efforts towards poverty eradication, including for families with children in early childhood so as to help ensure a basic standard of living for young children consistent with their rights;

"(d) To take measures to improve prenatal and perinatal care for mothers and babies, reducing infant, child and maternal mortality, such as improving the access to health-care systems, including for sexual and reproductive health, the distribution and use of insecticide-treated nets, vaccination campaigns, the prevention of mother-to-child transmission of HIV/AIDS, and the strengthening of international cooperation and technical assistance urgently required in developing countries to reduce maternal mortality and morbidity and improve maternal and newborn health;

"(e) To scale up efforts significantly towards the goal of universal access to comprehensive prevention programmes, treatment, care and support to prevent the spread of the HIV epidemic and alleviate and control the detrimental impact of HIV/AIDS on children and including taking all appropriate measures to prevent infection of young children by parents with HIV/AIDS by intervening in chains of transmission, provide accurate diagnosis and effective treatment including antiretroviral therapies and ensure adequate alternative care for children who have lost parents or other primary caregivers to HIV/AIDS;

"(f) To increase national and international efforts to improve the accessibility to and availability of affordable, quality and effective medicines and generics, in particular for the treatment of children in their early childhood;

"(g) To ensure that institutions, services and facilities responsible for early childhood comply with national quality standards, especially in the areas of health and social protection, and develop training programmes to ensure a quality, suitable and well-trained workforce;

"(h) To take all necessary measures to ensure that the child will be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents, by promoting universal access to birth registration, ensuring an effective, flexible and accessible system of registration, and States should implement these rights in accordance with their national law and their obligations under the relevant international instruments in this field;

"(i) To take appropriate measures to ensure the full realization of the right to education on the basis of equal opportunity for every child, including by providing accessible, free and compulsory primary education directed to the development of the personality, talents and mental and physical abilities of the child to his or her fullest potential and to improve coordination between primary education, early-childhood care and education services to ensure a better transition to primary school;

"(j) To develop care and educational networks for early childhood with necessary regulations and appropriate quality, provided by a combination of governmental, community and civil society institutions, and ensure that parents, particularly working parents, are provided appropriate support in order for their children to fully benefit from such programmes, especially those from the poorest and most vulnerable groups;

"(k) To support early-childhood development programmes implemented through home- and community-based preschool programmes;

"(l) To promote greater understanding and recognition that children's caregiving is a critical societal function and should be equally shared between women and men within the family and households;

"(m) To promote and expand comprehensive early-childhood care and education strategies, which acknowledge a key role for parents, wider family and community, as well as the contribution of organized programmes of early-childhood education provided by the State, the community or civil society institutions, including private education institutions; formulate and implement early-childhood holistic care and education policies; enhance information and training for parents and other caregivers in better child care and in understanding their role in children's early education; and promote the training of professionals working in areas related to early-childhood education;

"(n) To take effective measures to allow all children, including those living outside their communities, to have access, when possible, to education in their own culture and their own language;

"(o) To ensure that young children with disabilities have equal opportunities to participate fully in education and community life, including the removal of barriers that impede the realization of their rights and fostering at all levels of the education system, including all children from an early age, an attitude of respect for the rights of persons with disabilities;

"(p) To take decisive steps to develop human rights education strategies to be applied from early childhood, at home, in childcare centres and in early education programmes, in order to promote awareness and empowerment of children with respect to their rights and responsibilities, including through the implementation of the World Programme for Human Rights Education;

"(q) To encourage the United Nations system to support national initiatives that give more emphasis to early-childhood development and early learning, the mainstreaming of child-friendly schools, paying attention to the needs of early childhood with disabilities, and feeding programmes;

"(r) To adopt measures to promote and protect the right of the young child to rest and leisure, to engage in play and recreational activities appropriate to his or her age and to participate freely in cultural life and arts;

"(s) To develop strategies for the prevention and elimination of all forms of violence against children by adopting appropriate policy measures aimed at, inter alia, raising awareness, capacity-building for professionals working with and for young children, supporting effective parenting programmes, fostering research and developing and implementing national monitoring tools to periodically assess progress;

"(t) To take steps to design and implement preventive and comprehensive anti-bullying policies, including in educational settings, that address bullying and peer-directed aggression during early childhood and that include the training of early-childhood educators and family members and raising awareness of this matter among children;

"(u) To take all necessary measures to address the situation of young children growing up in difficult circumstances that are in violation of their rights, who are in need of special protection, with a view to promoting physical and psychological recovery and social integration within an environment that encourages dignity and self-respect;

"(v) To develop or enhance early-childhood programmes targeted at families facing especially difficult circumstances, including families headed by women or children and those belonging to vulnerable discriminated groups, families living in extreme poverty and families caring for children with disabilities;

"(w) To strengthen efforts to implement programmes for realizing child rights in early childhood with equity, involving the support of Governments, international actors and donors institutions, and the private sector through the development of early-childhood programmes, and increase the efforts of the international community to improve cooperation to assist developing countries in achieving all internationally agreed development goals, including the Millennium Development Goals;

"(x) To develop or enhance programmes to support parents and other caregivers in their child-rearing role through investments in health care, education and social welfare services, including quality early-childhood development programmes, home visitation, pre- and post-natal services and income-generation programmes for disadvantaged groups;

"(y) To ensure that funding for holistic early-childhood development programmes is considered during resources allocation and that policies and programmes, services and professional training are fully implemented;

"(z) To develop, strengthen and implement national systems for collecting, monitoring and evaluating data on relevant aspects of early childhood, including neonatal, infant and under-five mortality rates and national data on the development of young children, disaggregated by relevant variables;

"48. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in ensuring the realization of the rights of the child in early childhood;

"49. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donors institutions, including the international financial institutions, and bilateral donors to support early-childhood development programmes financially and technically, as well as to enhance effective international cooperation and partnership to strengthen capacity-building for early childhood, in terms of policy development, programme development, research and professional training, and to consider them among

the targets in assisting sustainable development in countries receiving international assistance, upon their request;

"IV. Follow-up

"50. *Decides*:

"(a) To request the Secretary-General to submit to the General Assembly at its sixty-sixth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on the rights of children with disabilities;

"(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on violence against children to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging their mandate, including information on their field visits and on the progress achieved and the challenges remaining in their respective areas of work;

"(c) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

"(d) To invite the Chair of the Committee on the Rights of the Child to continue to submit reports on the work of the Committee to the General Assembly at its sixty-sixth session as a way to enhance communication between the Assembly and the Committee;

"(e) To continue its consideration of the question at its sixty-sixth session under the item entitled 'Promotion and protection of the rights of children', focusing section III of the resolution on the rights of the child on the rights of children with disabilities."

7. At its 51st meeting, on 23 November, the Committee had before it a revised draft resolution entitled "Rights of the child" (A/C.3/65/L.21/Rev.1), submitted by the sponsors of draft resolution A/C.3/65/L.21 and Andorra, Australia, Belarus, Bosnia and Herzegovina, Canada, India, Jordan, Kazakhstan, Liechtenstein, Mongolia, Norway, the Republic of Moldova, Sri Lanka, Switzerland and the United States of America.

8. At the same meeting, the representative of Uruguay, on behalf of the Group of Latin American and Caribbean States and the European Union, orally revised the text as follows:

(a) In the seventeenth preambular paragraph, the words "contribute to the promotion and protection of the rights of children" were added after the words "inter alia";

(b) In operative paragraph 14, the words "Member States or" were deleted before the words "national Governments";

(c) In operative paragraph 30, the words "and when applicable" were inserted between the word "parents" and the words "legal guardians";

(d) In operative paragraph 32, the words "all individuals responsible" were replaced by the words "all those responsible" before the words "for the care or protection of children";

(e) In operative paragraph 34, the words "and when applicable" were inserted between the word "parents" and the words "legal guardians";

(f) In operative paragraph 43, the words "policies and programmes for children" were replaced by the words "policies and programmes for all children within their jurisdiction";

(g) In operative paragraph 43 (a), the words ", within their jurisdiction", were deleted after the words "To ensure";

(h) In operative paragraph 43 (c), the words "children and those living under especially difficult circumstances" were inserted after the words "pay particular attention to the most vulnerable" and the words "groups of young children and to those who are at risk of discrimination, including girls, children living in poverty, children with disabilities, children belonging to indigenous or minority groups, children from migrant families, children who are orphaned or lack parental care for other reasons, children living in institutions, children living with mothers in prison, refugee and asylum-seeking children, children living with or affected by HIV/AIDS and children of alcohol- or drug-addicted parents" were deleted at the end of the paragraph;

(i) In operative paragraph 43 (l), the words "those from the poorest, most vulnerable and marginalized groups" were replaced by the words "the poorest, most vulnerable and marginalized children";

(j) In operative paragraph 43 (p), the words "To formulate and implement" were replaced by the words "To consider formulating and implementing";

(k) In operative paragraph 45, the words "when requested" were inserted after the words "national initiatives".

9. A statement was made by the representative of Belgium, on behalf of the European Union (see A/C.3/65/SR.51).

10. Subsequently, Angola, Azerbaijan, Bangladesh, Benin, Botswana, Cape Verde, the Comoros, Egypt, Eritrea, Ethiopia, Gabon, the Gambia, Georgia, Ghana, Israel, Kenya, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malawi, Maldives, Mozambique, Namibia, the Philippines, Qatar, the Republic of Korea, the Russian Federation, Rwanda, San Marino, Senegal, South Africa, Swaziland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Ukraine and Zimbabwe joined in sponsoring the draft resolution, as orally revised.

11. The Committee adopted draft resolution A/C.3/65/L.21/Rev.1, as orally revised (see para. 13).

B. Draft decision proposed by the Chair

12. At its 51st meeting, on 23 November, on the proposal of the Chair, the Committee decided to recommend to the General Assembly that it take note of the

report of the Committee on the Rights of the Child[1] and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (see A/65/221) (see para. 14).

III. Recommendations of the Third Committee

13. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 64/146 of 18 December 2009,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child, and, bearing in mind the importance of the Optional Protocols to the Convention,[2] calling for their universal ratification, as well as that of other human rights instruments,

Recalling the Convention on the Rights of Persons with Disabilities,[3] the International Convention for the Protection of All Persons from Enforced Disappearance[4] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[5]

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action,[6] the United Nations Millennium Declaration[7] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[8] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[9] the Dakar Framework for Action adopted at the World Education Forum,[10] the Declaration on Social Progress and Development,[11] the Universal Declaration on the Eradication of Hunger and Malnutrition,[12] the Declaration on the Right to Development[13] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children,[14] held in New York from 11 to 13 December 2007, as well as the

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[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vols. 2171 and 2173, No. 27531.

[3] Resolution 61/106, annex I.

[4] Resolution 61/177, annex.

[5] Resolution 45/158.

[6] A/CONF.157/24 (Part I), chap. III.

[7] See resolution 55/2.

[8] Resolution S-27/2, annex.

[9] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[10] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[11] See resolution 2542 (XXIV).

[12] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[13] Resolution 41/128, annex.

[14] See resolution 62/88.

outcome document of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,[15] held in New York from 20 to 22 September 2010,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[16] and on the status of the Convention on the Rights of the Child[17] and the issues addressed in Assembly resolution 64/146, as well as the report of the Special Representative of the Secretary-General on violence against children[18] and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[19] whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note of the report of the Secretary-General on children and armed conflict,[20]

Acknowledging the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing the positive contribution of early childhood care and education programmes to the outcomes of schooling and to children's development to their fullest potential,

Recognizing also that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socio-economic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, lack of access to safe drinking water and sanitation, environmental damage, natural disasters, armed

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[15] See resolution 65/1.

[16] A/65/226.

[17] A/65/206.

[18] A/65/262.

[19] A/65/219.

[20] A/64/742-S/2010/181.

conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Deeply concerned that, globally, 8.1 million children under five died from preventable causes in 2009, and that in developing countries more than a third of the children under five suffer from stunting and a quarter suffer from underweight and severe malnutrition before they enter primary school, with, in some cases, irreparable damage to their cognitive development and long-term impacts on their physical health and development,

Taking note of the Global Strategy for Women's and Children's Health, launched by the Secretary-General on 22 September 2010,

Gravely concerned about the devastating impact of some of the recent natural disasters, including on children, reaffirming the importance of providing speedy, sustainable and adequate humanitarian assistance in support of relief, early recovery, rehabilitation, reconstruction and developmental efforts of the affected countries, and reaffirming also the importance of ensuring that human rights in general, and child rights in particular, are mainstreamed into these efforts,

Recalling its resolution 64/290 of 9 July 2010 on the right to education in emergency situations,

Welcoming the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons,[21] stressing the need for its full and effective implementation and expressing the view that it will, inter alia, contribute to the promotion and protection of the rights of children, enhanced cooperation and better coordination of efforts in fighting trafficking in persons and promote increased ratification and full implementation of the United Nations Convention against Transnational Organized Crime[22] and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

I. Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241 of 24 December 2008, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child[1] and the Optional Protocols thereto[2] as a matter of priority and to implement them fully;

2. *Commemorates* the tenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, welcomes the efforts of the Secretary-General to promote the universal ratification of the Optional Protocols and takes this opportunity to call for the effective implementation of the Convention and the Optional Protocols by

[21] Resolution 64/293, annex.

[22] United Nations, *Treaty Series*, vol. 2237, No. 39574.

States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[6]

4. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take duly into account the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 7 (2005) on implementing child rights in early childhood;[23]

5. *Welcomes* actions of the Committee to monitor the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines in particular the regional workshops and the participation of the Committee in national-level initiatives;

6. *Takes note* of the process of the elaboration of an optional protocol to the Convention on the Rights of the Child to provide a communication procedure complementary to the reporting procedure under the Convention on the Rights of the Child;

II. Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

Registration, family relations and adoption or other forms of alternative care

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child[1] to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the Guidelines for the Alternative Care of Children, contained in the annex to its resolution 64/142 of 18 December 2009, as a set of orientations to help inform policy and practice, and encourages States to take them into account;

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[23] CRC/C/GC/7/Rev.1.

Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children living with or affected by HIV/AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education, and measures to promote human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV/AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and the right to an adequate standard of living, including housing and clothing;

11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to these crises, any impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

13. *Encourages* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on violence against children, and to provide support, including financial support, to her for the effective and independent performance of her mandate, as set out in resolution 62/141, and in promoting the further implementation of the recommendations of the United Nations study on violence against children,[24] while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned, and invites the private sector, to provide voluntary contributions for that purpose;

14. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on violence against children, in coordination with national Governments, United Nations agencies, human rights bodies and mechanisms, and representatives of civil society, and with the participation of children, as well as the organization of an expert consultation on

[24] See A/61/299 and A/62/209.

child-sensitive counselling, complaint and reporting mechanisms, held in Geneva from 30 September to 1 October 2010;

15. *Recalls* Human Rights Council resolution 13/20 of 26 March 2010,[25] entitled "Rights of the child: the fight against sexual violence against children";

Promoting and protecting the rights of children, including children in particularly difficult situations

16. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded primary consideration;

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

17. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

18. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

19. *Calls upon* all States to develop and implement programmes and policies to protect children from abuse, commercial sexual exploitation, child prostitution, child pornography, child sex tourism and child abduction, and calls upon States to implement strategies to locate and assist all children subject to these violations;

20. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to

[25] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53* and corrigendum (A/65/53 and Corr.1).

enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

Children affected by armed conflict

21. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;[26]

22. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

23. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009, and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

24. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour;

25. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016;

[26] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

26. *Calls upon* all States to take into account the report of the Director-General of the International Labour Organization entitled "Accelerating action against child labour";[27]

The right of the child to express his or her views freely in all matters affecting him or her

27. *Reaffirms* paragraphs 24 to 33 of its resolution 64/146, recognizing the right of the child to express his or her views freely in all matters affecting him or her, and giving those views due weight in accordance with his or her age and maturity, and urges all States to implement the measures set out in paragraph 33 of its resolution 64/146;

III. Implementing child rights in early childhood

28. *Recognizes* that early childhood encompasses all stages of a young child's life until and during his or her transition to school;

29. *Reaffirms* that the child is the holder of all rights enshrined in the Convention on the Rights of the Child[1] and that early childhood is a critical phase for the realization of these rights;

30. *Recognizes* that parents and, when applicable, legal guardians and members of the extended family have the primary responsibility for the protection, upbringing and development of children, including in early childhood, and that the State and the community as a whole should provide appropriate support and assistance to parents, families, legal guardians and other caregivers;

31. *Reiterates* that all States should continue to make their best efforts to ensure the recognition of the principle that both parents have common responsibilities for the upbringing and development of their children;

32. *Also reiterates* that all public and private institutions as well as all those responsible for the care or protection of children should respect children's rights, including during early childhood, taking into account the best interests of the child;

33. *Recognizes* that the full realization of children's rights requires the adoption and implementation of comprehensive policies and programmes at national and local levels for all children, including specific programmes for early childhood;

34. *Also recognizes* that, during early childhood, children have particular physical and emotional requirements and are especially dependent on parents and, when applicable, legal guardians and other caregivers to offer protection, and are more vulnerable to disease, trauma and violence, including neglect, injury, maltreatment and abuse, including physical and mental violence, and other obstacles to their development, and are entitled to special protection measures and the opportunity to progressively exercise their rights in a manner consistent with their evolving capacities;

35. *Reaffirms* that the eradication of poverty is essential to the achievement of all of the Millennium Development Goals and to the full realization of the rights of all children, including in early childhood, and expresses deep concern that malnutrition and preventable diseases continue to be major obstacles to the

[27] International Labour Conference, 99th session, 2010, Report I(B).

realization of rights in early childhood, in particular the right to life and the right to food, and to the ability of the child to develop, and also recognizes the need to reduce child mortality and ensure comprehensive child development;

36. *Emphasizes* that good maternal health, including physical and mental health, nutrition and education are essential for the full realization of all rights of the child, including in early childhood, for the survival of children and their ability to develop and to reach their full potential;

37. *Recognizes* that discrimination against and exploitation of children, including in early childhood, harm their quality of life and may reduce their survival prospects, and calls upon States to take all appropriate measures to ensure that the child is protected against all forms of discrimination and exploitation;

38. *Also recognizes* that, in ensuring the exercise by children, including in early childhood, of their rights, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community, as provided for by local custom, legal guardians or other persons legally responsible for the child to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

39. *Further recognizes* that a child who is temporarily or permanently deprived of his or her family environment, or in whose own best interest cannot be allowed to remain in that environment, is entitled to special protection and assistance provided by the State, and calls upon States to ensure adequate alternative care for such a child in accordance with their national laws, preferably in the form of family-based care;

40. *Recognizes* that the right to education is closely linked to the maximum development of the child and that the goal of formal and non-formal education shall be to empower the child, including in early childhood, by developing his or her skills, ability to learn, self-esteem and self-confidence, and that this must be achieved in ways that enable children to learn through play and experience and reflect the rights and inherent human dignity of the child;

41. *Acknowledges* the need to enhance efforts aimed at expanding and improving comprehensive early-childhood care and education, as determined in Goal 1 of Education for All, especially for the most vulnerable and disadvantaged children, taking into account the evidence that good-quality early-childhood care and education, both in the family and in more structured programmes, have a positive impact on the survival, growth and development of children and on their ability to learn;

42. *Welcomes* the first World Conference on Early Childhood Care and Education, held in Moscow from 27 to 29 September 2010, convened by the United Nations Educational, Scientific and Cultural Organization, and encourages Member States to study its outcomes and recommendations;

43. *Calls upon* all States to include, within the overall context of policies and programmes for all children within their jurisdiction, appropriate provisions for the realization of the rights of children in early childhood, in particular:

(a) To ensure that the rights of the child are fully respected, especially in early childhood, without discrimination on any grounds, including by adopting

and/or continuing to implement regulations and measures that ensure the full realization of all their rights;

(b) To provide special support and assistance to children in early childhood who are suffering from discrimination or living under especially difficult circumstances, in order to ensure their physical and psychological recovery and social integration and the full realization of their rights within an environment that encourages dignity and self-respect;

(c) To adopt, implement and strengthen appropriate policies aimed at ensuring universal access to quality and affordable services, especially health, nutrition, education, welfare, social protection, safe drinking water and sanitation and other services that are essential for the child's well-being, and, in this regard, to pay particular attention to the most vulnerable children and those living under especially difficult circumstances;

(d) To strengthen efforts towards poverty eradication, including for families with children in early childhood, so as to help ensure the realization of their right to an adequate standard of living;

(e) To take measures to improve prenatal, perinatal and post-natal care for mothers and newborns, reducing infant, child and maternal mortality, such as improving the access to health-care systems, including for sexual and reproductive health, emergency obstetric and newborn care, the distribution and use of insecticide-treated nets, vaccination campaigns, the prevention of mother-to-child transmission of HIV and the strengthening of international cooperation and technical assistance urgently required in developing countries to reduce maternal mortality and morbidity and improve maternal and newborn health;

(f) To strengthen efforts significantly towards the goal of universal access to comprehensive prevention programmes, treatment, care and support to prevent the spread of the HIV epidemic and alleviate and control the detrimental impact of HIV/AIDS on children, including by taking all appropriate measures to prevent mother-to-child transmission of HIV, to provide timely, accurate diagnosis and effective treatment, including antiretroviral therapies, and to ensure adequate alternative care and psychosocial support for children who have lost parents or other primary caregivers to HIV/AIDS;

(g) To strengthen national and international efforts to improve the accessibility to and availability of safe, affordable, quality and effective medicines, including innovative and generic medicines, in particular for the treatment of children in early childhood;

(h) To ensure that community and civil society institutions, services and facilities responsible for early childhood comply with national quality standards, especially in the areas of health and social protection, and to develop training programmes to ensure a quality, suitable and well-trained workforce in these areas;

(i) To take all necessary measures to ensure that the child will be registered immediately after birth and will have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents, and to implement these rights in accordance with their national law and their obligations under the relevant international instruments in this field;

(j) To make all possible efforts to promote universal access to birth registration, ensuring an effective, flexible and accessible system of registration;

(k) To take appropriate measures to ensure the full realization of the right to education on the basis of equal opportunity for every child, including by providing accessible, free and compulsory primary education directed to the development of the personality, talents and mental and physical abilities of the child to his or her fullest potential, and to improve coordination between primary education, early-childhood care and education services to ensure a better transition to primary school;

(l) To develop care and educational networks for early childhood with necessary regulations and appropriate quality, and to ensure that parents, in particular working parents, legal guardians and other caregivers, are provided with appropriate support in order that their children may fully benefit from such programmes, especially the poorest, most vulnerable and marginalized children;

(m) To support quality childhood development programmes, accessible to all children, including in early childhood, through home- and community-based programmes;

(n) To promote greater understanding and recognition that childcare is a critical societal function and should be equitably shared between women and men within the family and households;

(o) To promote and expand comprehensive early-childhood care and education strategies which acknowledge a key role for parents, legal guardians and the extended family as well as the contribution of organized programmes of early childhood education provided by the State, the community or civil society institutions, including private education institutions;

(p) To consider formulating and implementing, at the appropriate level, comprehensive early-childhood care and education policies, to enhance information and training for parents and other caregivers on quality childcare and on understanding their role in children's early education, and to promote training of professionals working in areas related to early childhood education;

(q) To take effective measures to allow indigenous peoples to have non-discriminatory access to all levels and forms of education provided by States, and to promote access for indigenous individuals, particularly children, to education in their own language, when possible, as addressed in the United Nations Declaration on the Rights of Indigenous Peoples;[28]

(r) To ensure that young children with disabilities have equal opportunities to participate fully in education and community life, including the removal of barriers that impede the realization of their rights, and to foster at all levels of the education system, including all children from an early age, an attitude of respect for the rights of persons with disabilities;

(s) To take decisive steps to develop strategies for children, including in early childhood, regarding human rights education, on values such as respect for human dignity, non-discrimination, equality, justice, non-violence, tolerance and peace, at home, in childcare centres and in early education programmes, in order to

[28] Resolution 61/295, annex.

promote the awareness and empowerment of children with respect to their rights and responsibilities, taking into account the World Programme for Human Rights Education;[29]

(t) To address the root causes preventing children, including in early childhood, from exercising their right to be heard and to be consulted, in accordance with their evolving capacities, on matters affecting them, to inform children, parents, legal guardians, other caregivers and the general public about the rights of the child, and to raise awareness, including through partnerships with civil society, the private sector and the media, while being attentive to their influence on children, of the importance and benefits of the participation of children in society;

(u) To adopt measures to promote and protect the right of the child, including in early childhood, to rest and leisure, and to participate freely in cultural life and the arts, including measures that allow him or her to engage in play and age-appropriate recreational activities, such as sports;

(v) To strengthen efforts to effectively eliminate child labour, which is harmful to the child's health or physical, mental, spiritual, moral or social development;

(w) To develop strategies for the prevention and elimination of all forms of violence against children, including in early childhood, by adopting appropriate policy measures aimed at, inter alia, raising awareness, capacity-building for professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children, including in early childhood, and developing and implementing appropriate national monitoring tools to periodically assess progress;

(x) To take steps to design and implement preventive and comprehensive anti-bullying measures, including in educational settings, that address bullying and peer-directed aggression during early childhood, which could include the training of early-childhood educators and family members and also raising awareness of this matter among children;

(y) To develop or enhance early-childhood programmes targeted at assisting families facing especially difficult circumstances, including those headed by single parents or children, those living in the most vulnerable and disadvantaged situations and those living in extreme poverty or caring for children with disabilities;

(z) To strengthen efforts to implement programmes for realizing child rights in early childhood with equity, involving the support of international organizations and donor institutions and the private sector, through, inter alia, the development of specific early-childhood programmes, and to further enhance the efforts of the international community to improve cooperation to assist developing countries in achieving all internationally agreed development goals, including the Millennium Development Goals;

(aa) To develop or enhance programmes to support parents, legal guardians and other caregivers in their child-rearing role through the development of health care, education and social welfare services, including quality early-childhood

[29] See resolutions 59/113 A and B.

development programmes, prenatal and post-natal services and social safety programmes for disadvantaged groups;

(bb) To ensure that funding for comprehensive early childhood development programmes is considered during resource allocation in order to ensure their full implementation;

(cc) To provide training, as appropriate, so that early childhood professionals and educators have sufficient skills and knowledge relating to responsive care and stimulation, proper nutrition and health, and that they are sufficiently remunerated and incentivized;

(dd) To develop, strengthen and implement national systems for collecting, monitoring and evaluating disaggregated national data on relevant aspects of early childhood development, including on neonatal, infant and under-five mortality rates;

44. *Calls upon* all Member States, and invites the United Nations system, to strengthen international cooperation to ensure the realization of the rights of the child, including in early childhood, inter alia, by supporting national initiatives that give more emphasis to early childhood development, as appropriate;

45. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donor institutions, including the international financial institutions, and bilateral donors to support, inter alia, national initiatives, when requested, including early childhood development programmes, financially and technically, as well as to enhance effective international cooperation and partnership to strengthen knowledge-sharing and capacity-building for early childhood, in terms of policy development, programme development, research and professional training;

IV. Follow-up

46. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its sixty-sixth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child[1] and the issues addressed in the present resolution, with a focus on the rights of children with disabilities;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on violence against children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities in the fulfilment of her mandate;

(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate;

(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-sixth session as a way to enhance communication between the Assembly and the Committee;

(f) To continue its consideration of the question at its sixty-sixth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution entitled "Rights of the child" on the rights of children with disabilities.

14. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Reports considered by the General Assembly in connection with the promotion and protection of the rights of children

The General Assembly decides to take note of the following reports submitted under the item entitled "Promotion and protection of the rights of children":

(a) Report of the Committee on the Rights of the Child;[1]

(b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography.[2]

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[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 41* (A/65/41).

[2] See A/65/221.

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Indigenous issues

Report of the Third Committee

Rapporteur: Mr. Asif **Garayev** (Azerbaijan)

I. Introduction

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fifth session the item entitled:

"Indigenous issues:

"(a) Indigenous issues;

"(b) Second International Decade of the World's Indigenous People"

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 18th, 19th, 31st and 46th meetings, on 18 and 26 October and 16 November 2010. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/65/SR.18, 19, 31 and 46).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People (A/65/166);

(b) Note by the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (A/65/163);

(c) Note by the Secretary-General transmitting the interim report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/65/264).

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4. At its 18th meeting, on 18 October, the Committee heard introductory statements by the Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the representative of the Office of the United Nations High Commissioner for Human Rights (see A/C.3/65/SR.18).

5. At the same meeting, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people made a presentation and engaged in a dialogue with the representatives of Guatemala, Australia, the Islamic Republic of Iran, Mexico, Canada, Nicaragua, Botswana, the Plurinational State of Bolivia, Brazil and the United States of America and the observer for the European Union (see A/C.3/65/SR.18).

II. Consideration of proposals

A. Draft resolution A/C.3/65/L.22 and Rev.1

6. At the 31st meeting, on 26 October, the representative of Bolivia (Plurinational State of), on behalf of Argentina, Benin, Bolivia (Plurinational State of), Cuba, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua and Venezuela (Bolivarian Republic of) introduced a draft resolution entitled "Indigenous issues" (A/C.3/65/L.22), which read:

"*The General Assembly*,

"*Recalling* all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

"*Recalling also* its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous Peoples (2005-2015),

"*Recalling further* the 2007 United Nations Declaration on the Rights of Indigenous Peoples,

"*Recalling* the 2005 World Summit Outcome, and the outcome document of the 2010 high-level plenary meeting on the Millennium Development Goals,

"*Recalling also* Human Rights Council resolution 15/14 of 30 September 2010, by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 15/7, of 30 September 2010, on human rights and indigenous peoples,

"*Taking note* of the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, held in Tiquipaya, Cochabamba, Plurinational State of Bolivia, from 20 to 22 April 2010,

"*Concerned* about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators, and about the impediments to their full enjoyment of their individual and collective rights,

"1. *Welcomes* the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples;

"2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;

"3. *Decides* to approve the expansion of the mandate of the United Nations Voluntary Fund for Indigenous Populations in order to facilitate the participation of representatives of indigenous peoples' organizations in sessions of the Human Rights Council and of human rights treaty bodies;

"4. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the United Nations Voluntary Fund for the Second Decade, and invites indigenous organizations and private institutions and individuals to do likewise;

"5. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries, Convention C169, to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for that Declaration;

"6. *Takes note* of the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people;

"7. *Takes note* of the report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People;

"8. *Calls upon* Member States to consider creating special national committees on the Second International Decade of the World's Indigenous People in order to promote the implementation of the Second Decade, and to strengthen international cooperation for the solution of problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities, in line with the recommendations contained in the report of the Secretary-General on the midterm assessment of the Second International Decade of the World's Indigenous People;

"9. *Decides* to organize under the auspices of the United Nations a world Indigenous Peoples' Conference in 2014, to adopt measures to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and invites the President of the General Assembly to conduct open-ended informal consultations with Member States with a view to determining the modalities of the conference;

"10. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including indigenous organizations, to submit to the Assembly at its sixty-seventh session a report that evaluates progress made in the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People and its impact on the achievement of the Millennium Development Goals;

"11. *Decides* to continue consideration of this question under the agenda item entitled 'Indigenous issues'."

7. At its 46th meeting, on 16 November, the Committee had before it a revised draft resolution entitled "Indigenous issues" (A/C.3/65/L.22/Rev.1), submitted by Albania, Argentina, Armenia, Australia, Benin, Bolivia (Plurinational State of), Brazil, Canada, Chile, the Congo, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, Greece, Guatemala, Honduras, Italy, Luxembourg, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Spain, the United States of America, Uruguay and Venezuela (Bolivarian Republic of).

8. At the same meeting, the representative of the Plurinational State of Bolivia orally corrected operative paragraph 7 of the revised draft resolution by replacing the words "indigenous people" with the words "Indigenous peoples".

9. Also at its 46th meeting, the Committee adopted draft resolution A/C.3/65/L.22/Rev.1, as orally corrected (see para. 11).

10. After the adoption of the draft resolution, a statement was made by the representative of the United Kingdom of Great Britain and Northern Ireland (see A/C.3/65/SR.46).

III. Recommendation of the Third Committee

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Indigenous issues

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

Recalling also its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous People (2005-2014),

Recalling further the 2007 United Nations Declaration on the Rights of Indigenous Peoples,[1] which addresses their individual and collective rights,

Recalling the 2005 World Summit Outcome,[2] and the outcome document of the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals,[3]

Recalling also Human Rights Council resolution 15/14 of 30 September 2010,[4] by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 15/7 of 30 September 2010,[4] on human rights and indigenous peoples,

Taking note of the first Peoples' World Conference on Climate Change and the Rights of Mother Earth, held in Tiquipaya, Cochabamba, hosted by the Plurinational State of Bolivia from 20 to 22 April 2010,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators, and about the impediments to their full enjoyment of their rights,

1. *Welcomes* the work of the Special Rapporteur, and takes note with appreciation of his report on the situation of human rights and fundamental freedoms of indigenous people,[5] and also of his report on the Second International Decade of the World's Indigenous People;[6]

2. *Also welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;[7]

3. *Decides* to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist representatives of indigenous peoples'

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[1] Resolution 61/295, annex.
[2] See resolution 60/1.
[3] See resolution 65/1.
[4] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 53A* (A/65/53/Add.1), chap. II.
[5] See A/65/264.
[6] See A/64/338.
[7] See A/65/163.

organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996;

4. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the United Nations Trust Fund for the Second International Decade, and invites indigenous organizations and private institutions and individuals to do likewise;

5. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries, Convention C169, to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples,[1] and welcomes the increased support by States for that Declaration;

6. *Takes note* of the report of the Secretary-General on the midterm assessment of the progress made in the achievement of the goal and objectives of the Second International Decade;[8]

7. *Calls upon* States to consider the recommendations contained in the midterm assessment of the implementation of the Second International Decade and to enhance national and international efforts, including international cooperation for the solution of problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities;

8. *Decides* to organize a high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held in 2014, in order to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, and invites the President of the General Assembly to conduct open-ended consultations with Member States and with representatives of indigenous peoples in the framework of the Permanent Forum on Indigenous Issues, as well as with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference;

9. *Requests* the Secretary-General, in consultation with Member States, relevant United Nations organizations and mechanisms and other stakeholders, including organizations representing indigenous peoples, to submit to the General Assembly at its sixty-seventh session a report that evaluates the progress made in the achievement of the goal and objectives of the Second International Decade and its impact on the achievement of the Millennium Development Goals;

10. *Decides* to continue consideration of this question at its sixty-sixth session under an item entitled "Rights of indigenous peoples".

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[8] A/65/166.